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contempt citation. They won't dare a trial and even though in his Memorandum Judge Smith says he held an ~~XXXXXX~~ "extensive" hearing, he didn't. I asked for an evidentiary hearing and he turned it down and I asked for a trial and he refused that. In a moment of carelessness he prove himself a liar in his attached Order in which he refers to what there almost was, "oral arguments." There was no argument, no questioning and compassionate man that he represents himself in his Memorandum, he wouldn't even let me read the statement I'd prepared so I would not forget or ramble and because speaking from a wheelchair at the podium I'd not be able to handle notes.

as a commentary on some judges in FOIA cases, his Memorandum indicates that he is not even familiar with the basics of this case. He did crib inventions which exist nowhere else from DJ lawyers' filings. He says repeatedly that this lawsuit is for King assassination records of the New Haven FBI office, neither true and neither even reasonably suspected.

I don't know what the Judiciary committee will be interested in or take time for but I think that an inquiry into the enormous waste of expensive time and money merely to frustrate disclosures under FOIA is not difficult and could be worthwhile and helpful in discouraging this administration's campaign against free information.

I'm sorry I can't drive to Washington and can't use the poor and inadequate buses, but if anyone is interested, I have copies of all my cases here and my lawyer in them is in Washington and I'm sure his files are more accessible and in better shape. Even filing is a problem for me now.


Please believe me on the discovery matter, I gave many other reasons, ~~XXXX~~ none refuted, no evidence introduced to contest any of them, all documented, and it not only made no difference, it cost the government a considerable amount of time and burdened the courts considerably. Part of the campaigns against FOIA has been the burdening of the courts. In my own experience, there isn't a single case in which there was any need to litigate and any case in which the government didn't swear falsely, and best a nonlawyer can have an opinion on it, in all instances perjury because it was always material.

I'm not suggesting that one of the three branches of government intrude into another but I am suggesting that there are serious problems of proper interest to the legislative branch.

and I fear that the Rehnquist and Scalia appointments further reduce the slim chances of success with FOIA petitions cert.

I'm sorry, the relevance of the alleged felonies is not clear above. To get the discovery order they claimed it would prove that they had complied with my requests and if it hadn't my unique subject-matter expertise was required for them to find it. Their lawyer actually said that this information was "solely" mine. The new evidence establishes what I allege and there is no basis for the money judgement other than the discovery order procured by these undenied felonies.

Sincerely,


HAROLD WEISBERG
7627 OLD RECEIVER RD.
FREDERICK, MD 21701

United States Senate

WASHINGTON, D.C. 20510

October 28, 1986

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

Thank you for writing to express your thoughts regarding the nomination of William Rehnquist to be Chief Justice of the United States. As you know, this nomination was confirmed by the Senate on September 17, by a vote of 65 to 33.

I opposed this nomination, both during Judiciary Committee hearings and on the floor of the full Senate. In my view, Mr. Rehnquist's positions on some of the most important issues in our legal system every day are too extreme -- his views are wrong on race, on equal rights for women, on the separation of church and state, and on some of the most basic individual freedoms protected by our Constitution.

Justice Rehnquist has repeatedly exhibited his hostility to the ideals of racial justice and civil rights. Moreover, his conduct during Committee hearings and while serving on the bench had indicated serious ethical lapses. He has been less than candid with members of the Judiciary Committee, and he violated the basic rule of judicial ethics that no person should be a judge in his own cause. As a Supreme Court Justice, Mr. Rehnquist sat as a member of the Court and cast the deciding vote in a case that upheld a shocking policy of military surveillance of civilians -- a policy that he himself had helped to draft.

Justice Rehnquist might have made a brilliant nineteenth century Chief Justice. But brilliance of judicial intellect in the service of racism and injustice is no virtue in our times -- and no qualification for the high office of Chief Justice of the United States.

I appreciate your taking the time to write, and I am grateful for this opportunity to express my concerns regarding this matter.

Sincerely,


Edward M. Kennedy

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